

2009 DRAFTING REQUEST

Assembly Amendment (AA-AB843)

Received: **04/15/2010**

Received By: **rkite**

Wanted: **As time permits**

Companion to LRB:

For: **Louis Molepske Jr (608) 267-9649**

By/Representing: **Eric Maloney**

May Contact:

Drafter: **rkite**

Subject: **Buildings/Safety - bldg stndrds
State Govt - miscellaneous**

Addl. Drafters:

Extra Copies: **JTK, MES, PG**

Submit via email: **YES**

Requester's email: **Rep.Molepske@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Various changes to building standards

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rkite 04/15/2010	kfollett 04/16/2010		_____			
/1			mduchek 04/16/2010	_____	sbasford 04/16/2010	sbasford 04/16/2010	

FE Sent For:

<END>

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1?	rkite	1/1/10 4/1/10	md 4/1/10	md 4/1/10			

FE Sent For:

<END>

Kite, Robin

From: Maloney2, Eric
Sent: Thursday, April 15, 2010 3:33 PM
To: Kite, Robin
Subject: FW: Changes to Sect 15, AB843 plumbing codes
Importance: High

Here's the language for the amendment created by Sherrie. Essentially all it's doing is deleting language from the bill. Call with any questions.

Eric

From: Sherrie Gruder [mailto:gruder@epd.engr.wisc.edu]
Sent: Thursday, April 15, 2010 3:23 PM
To: Maloney2, Eric
Subject: FW: Changes to Sect 15, AB843 plumbing codes
Importance: High

Eric,

ICC is pleased with this. Please forward this to Robin for drafting the amendment.

Pg 7f. That the project upon completion will attain a level of interior water use no *LESS* than 30 percent below the interior water use baseline, as determined by the department of administration in accordance with the LEED Green Building Rating System as defined in s. 16.856(1) (e). (delete the remainder of the sentence)

Pg 20 delete g and j references to UPC and IPC

S

Sherrie Gruder, LEED Accredited Professional
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 Energy Program Coordinator
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 An MPowering Madison Partner. Take the pledge by visiting www.MpoweringMadison.com

From: Sherrie Gruder [mailto:gruder@epd.engr.wisc.edu]
Sent: Thursday, April 15, 2010 3:02 PM
To: 'Bob Neale'; 'Vaughn Wicker'
Cc: 'Maloney2, Eric'; gruder@engr.wisc.edu

04/15/2010

Subject: FW: Changes to Sect 15, AB843 plumbing codes

Bob and Vaughn,

Below is my analysis and suggested amendments to the bill in order to meet the intent of the legislators and to make this technically correct and in keeping with WI codes. I will follow up with you momentarily so you can have this in writing to refer to for discussion.

AB 843/SB616 shouldn't reference either the UPC or the IPC. Some years ago Wisconsin joined other states in adopting a single set of reference model codes administered by the International Code Council. It didn't replace its existing building codes with the ICC's, retaining the right to introduce its own "Wisconsinisms" as deemed necessary, but its language is essentially the same. Section 61.05: *Adoption of International Codes* references several of the ICC codes, but not the International Plumbing Code (IPC). Wisconsin has reserved the right to maintain its own plumbing code--Comm Chpts 81-87. In fact, Section 61.04: *Definitions* of the Commercial Building Code states that any reference to "IPC" or "International Plumbing Code" given in the adopted ICC codes shall mean "Chapters 81-87" of the Wisconsin Administrative Code (e.g. the Wisconsin Plumbing Code). The language of the Wisconsin Plumbing Code is based on the old Uniform Plumbing Code although it makes no reference to it by name. So, long story short, Wisconsin maintains its own, independent plumbing code (although it does reference IBC Table 2902 for plumbing fixture counts which is based on the IPC) so the bill should not reference either the UPC or IPC.

WI can't attain a water use level 30% below the water use level of WI plumbing code as the code is not based on fixture efficiency but rather on number of fixtures and other non-efficiency related items. In order to accomplish Rep Molepske's and other sponsors' goals with regard to 30% improved water efficiency, we can take either of 2 routes: 1) leave the water use efficiency measurement as that in the LEED Green Building rating system as referenced on page 7 line 21 and remove all references to plumbing codes or 2) reference Energy Policy Act of 1992 which is an efficiency standard that is referenced in the water efficiency section of LEED and remove all reference to plumbing codes. I have conferred with WI legal counsel and suggest the following language as the amendment:

Pg 7f. That the project upon completion will attain a level of interior water use no *LESS* than 30 percent below the interior water use baseline, as determined by the department of administration in accordance with the LEED Green Building Rating System as defined in s. 16.856(1) (e). (delete the remainder of the sentence)

Pg 20 delete g and j references to UPC and IPC

Note to LRB: Wisconsin Plumbing Code Comm 81-87 is not affected by this section of the bill at all. EPAAct, the water efficiency reference used in LEED, is a federal requirement so every plumbing fixture manufactured since 1992 must meet that. Any new fixture purchased by the state of WI will comply by default.

Sherrie Gruder, LEED Accredited Professional
Sustainable Design Specialist, Distinguished Lecturer
Energy Program Coordinator
UW-Extension Solid & Hazardous Waste Education Center

04/15/2010

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An MPowering Madison Partner. Take the pledge by visiting www.MpoweringMadison.com

On Apr 14, 2010, at 5:09 PM, Maloney2, Eric wrote:

Great, thanks Sherrie. Let me know when you have material to share with me.

Eric

From: Sherrie Gruder [<mailto:gruder@engr.wisc.edu>]
Sent: Wednesday, April 14, 2010 4:17 PM
To: Maloney2, Eric
Subject: Fwd: Changes to Sect 15, AB843

Eric

His language won't work to accomplish the 30 per cent water use reduction because WI plumbing code is not based on efficiency but on fixtures. I will write some that does following LEED reference to EPACT that does not need to reference UPC.

While WI adopts ICC for other codes it does not for plumbing and does not reference IPC or UPC.

S

Sent from my iPhone

Begin forwarded message:

From: "Bob Neale" <bneale@iccsafe.org>
Date: April 14, 2010 2:34:23 PM CDT
To: "Maloney2, Eric" <Eric.Maloney2@legis.wisconsin.gov>
Cc: <bill@aiaw.org>, "Smith, Jim B - COMMERCE"
<Jim.Smith@Wisconsin.gov>, "Vaughn Wicker" <VWicker@iccsafe.org>,
<gruder@engr.wisc.edu>
Subject: Changes to Sect 15, AB843

Eric:

I apologize. No less than 5 folks have reviewed the bill and were advised of recommended amendment language. It was clear to all involved including USGBC that references Uniform Plumbing Code and or the International Plumbing Code in the bill is a deal killer out of respect for the established plumbing system the state has maintained for decades. For this issue with Sect 15 to come up so late in the game is truly frustrating. Sect 15 prescribes standards from which the department shall write rules. To have these standards listed in this section is not acceptable.

The standard in (g), pg 20 can change in this way: ~~The Uniform Plumbing Codes 2006 promulgated by the International Association of Plumbing and Mechanical Officials~~ **Wisconsin Plumbing Code Comm 81-87.**

The standard in (j), pg 20 can change in this way: ~~The International Plumbing Codes 2006 fixture and fitting performance requirements promulgated~~ **The International Green Construction Code** developed by the International Code Council.

Bob Neale, Manager
State and Local Government Relations
International Code Council
4051 West Flossmoor Road
Country Club Hills, IL 60478

bneale@iccsafe.org
708 351 5710



Fri. 4/16

State of Wisconsin
2009 - 2010 LEGISLATURE

Rm not run
a 2284/1

LRBa2109/1
RNK:kjf.md

ASSEMBLY AMENDMENT ~~2~~
TO 2009 ASSEMBLY BILL 843

April 13, 2010 - Offered by Representative MOLEPSKE JR..

At the locations indicated, amend the bill as follows:

1. Page 7, line ~~24~~²²: delete the material beginning with ~~"based"~~^{"assuming"} and ending with "Council" on page 8, line 3.
2. Page 16, line 25: after "Society" insert ", that are based on the International Green Construction Code, Public Version 1.0,".
3. Page 17, line 1: after "standard" insert "or code".
4. Page 17, line 3: delete "or its current equivalent, is" and substitute ", the International Green Construction Code, Public Version 1.0, or either of their current equivalents, are".
5. Page 17, line 6: after "standard" insert "or code".
6. Page 18, line 13: after "Engineers" insert "or energy efficiency design requirements from the International Energy Conservation Code, or its current equivalent, whichever standard or design requirement is more stringent".

#. Page 7, line 20: delete "greater" and substitute "less".

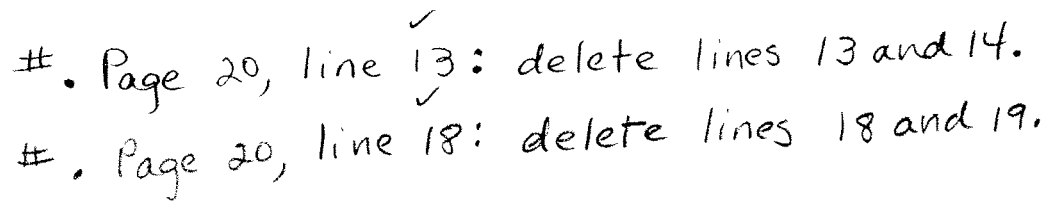
1 **7.** Page 18, line 17: after "Engineers" insert "or a revision of the International
2 Energy Conservation Code, or its current equivalent.".

3 **8.** Page 18, line 22: after "published," insert "or because a revision of the
4 International Energy Conservation Code, or its current equivalent, is published.".

5 **9.** Page 18, line 25: delete the material beginning with "of" and ending with
6 "Engineers" on page 19, line 2, and substitute "~~of the International Energy~~
7 ~~Conservation Code~~".

8

(END)



#. Page 20, line [✓]13: delete lines 13 and 14.
#. Page 20, line 18: delete lines 18 and 19.